

	<p style="text-align: center;"><b>stqa?tx<sup>w</sup>4n'iwat sqilx<sup>wi</sup></b>  <b>WESTBANK FIRST NATION</b>  515 Highway 97 South  Kelowna, B.C. V1Z 3J2  Phone: (250) 769-4999 Fax: (250) 769-4377  <a href="http://www.wfn.ca">www.wfn.ca</a>  <i>Community. Leadership. Pride.</i></p>	<p style="text-align: center;"><b>MINUTES</b>  <b>ADVISORY COUNCIL</b>  <b>s?aslásq̓t, p̓ackttán</b>  <b>(Tuesday, March) 14,</b>  <b>2023</b>  <u>Approve on</u>  <u>March 23, 2023</u></p>
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The meeting took place via the Zoom meeting platform. / in the First Floor Boardroom of the Westbank First Nation Government Building.

**ADVISORY COUNCIL MEMBERS:**

Ludwig Teichgraber – sux <sup>w</sup> q <sup>w</sup> əlq <sup>w</sup> ilt /Chair	East Boundary District
Rick Ould – Co-chair	Old Okanagan District
Terry Turcan	Prairie District
Steve Gilroy	Lakeridge District
Vacant Seat	Lakeshore District

**WFN STAFF MEMBERS:**

Dolores Ellingboe	Director of Operations
Jim Bauer	Chief Financial Officer
Glenna Ellerbeck	Deputy Chief Financial Officer
Trish Carefoot	Accountant
Jeniffer Bellingham	Director of Intergovernmental Affairs and Title & Rights
Mike De Guevara	Self-Government Implementation Researcher
Brayden Holenstein	səx <sup>w</sup> k'ətq'əq'aym (Acting Recording Clerk) & Referrals Officer

<b>CALL TO ORDER</b>	<b>The agenda is attached to these minutes as EXHIBIT “A.”</b>
<i>L. Teichgraber</i>	Called the meeting to order at 1:25 p.m.
	<b><u>Recognition of any Absences</u></b>
	There were no absences.
	<b><u>Introduction of new Director of Operations</u></b>
Roundtable	D. Ellingboe introduced herself to the Advisory Council.
	<b><u>Adopt the Agenda</u></b>
<b>MOTION</b>	<b>MOVED BY Gilroy</b> <b>Seconded by Turcan</b> <b>THAT</b> the Advisory Council hereby approves the agenda subject to the following amendments: <ul style="list-style-type: none"> <li>• Adoption of Minutes will be deferred to the March 16, 2023 Advisory Council meeting.</li> <li>• Addition of “Agenda Discussion”.</li> </ul> <b>CARRIED</b>



<b>NEW BUSINESS</b>	<b><u>Agenda Discussion</u></b>
<i>L. Teichgraber</i>	<p>This agenda is supposed to be prepared by the Advisory Council and this was not the case. We did not receive communication on this agenda. We want to only review the budget. Nothing else.</p> <p>We need to know what the changes are regarding the bylaws before making any decisions.</p>
<i>S. Gilroy</i>	<p>If I had a comparison in regards to the bylaws then I could have had a better review. I don't even know if this is a full rewrite of the laws. I can't support a decision that I know nothing about.</p>
<i>J. Bauer</i>	<p>The taxation and assessment bylaws saw language changes to position our bylaws to be able to move WFN from the Indian Act to the Fiscal Management Act. This is more of an administrative manner. I have a redlined copy of the changes and E. Jack can elaborate further if needed. I do have a presentation on the bylaws for you today.</p> <p>The substantial changes are highlighted within your materials.</p>
<i>R. Ould</i>	<p>I agree with S. Gilroy. A redlined copy would have made a big difference. We need to understand the changes and what we were provided did not make the changes very clear. We keep expressing our concerns about getting information in time and this seems to be a reoccurring issue.</p>
<i>T. Turcan</i>	<p>I go through my materials thoroughly. Regarding these bylaws, I was not able to do so. Thank you to Brayden for getting us the materials over the weekend. The attempt to share information promptly is appreciated.</p> <p>We need to tackle the bylaws and the budget as that is what is needed. Getting into the materials is important.</p>
<i>E. Jack</i>	<p>The jurisdiction has not changed and is still under the Indian Act and sees the minister's overview. We have made the bylaws consistent with our constitution and self-government act.</p> <p>The other things are regarding electronic notification and payment options.</p>
<i>L. Teichgraber</i>	<p>I will circle back to the agenda topic. We were not aware of this agenda. Dumping the agenda on us is not acceptable. I don't think I can tolerate it anymore. The agenda creation needs to include us. I need to know what is going on to work with our Council.</p> <p>Can the laws be reviewed so we can understand them properly? If you ask me to vote on this, I won't be able to.</p>
<i>T. Turcan</i>	<p>I think we need to go over the laws today. If we have everything we need, we can do it</p>



	today.
<i>E. Jack</i>	There is a provision that the laws are posted for 30 days. This doesn't have to be done today, April 7, 2023, is the cut I believe.
<i>J. Bauer</i>	We can come back at a subsequent meeting to ensure you have what you need.
<i>S. Gilroy</i>	If I had the tracked changes, I could review them very quickly. Knowing the changes is so important.
<i>D. Ellingboe</i>	Thank you for including me in today's meeting. Hopefully, a resolution can be found following this meeting. I encourage you to always look for ways to improve our processes.
Staff Left:	D. Ellingboe left the meeting at 1:51 p.m.
<i>J. Bauer</i>	We will review everything in the package including the presentations before going any further on the bylaws.
<b>NEW BUSINESS FINANCIAL SERVICES</b>	<b><u>Final Budget Review</u></b> <b>(Supporting documents and presentations prepared by J. Bauer are attached to these minutes as EXHIBIT "B.")</b>
<i>J. Bauer</i>	Reviewed provisional budget presentation with the Advisory Council.  Budget Planning Cycle – Ideal State (within existing Constitution). Key Budget timelines. Local Government Services – Operating Budget. Provisional Budget 2023-2024. Revenues. Key Changes – Revenues. Expenses.
<i>T. Turcan</i>	The service fees. Do we have figures from RDCO, CWK or other municipalities? Or are these guesstimates?
<i>J. Bauer</i>	We don't have all of the latest figures but we have some to help make an educated guess.
<i>T. Turcan</i>	Grants to Members, this is a new one and never used to be in the budget. My understanding of LGS is that it is tax-generated revenue and that money goes back to services for Members and non-members. Why do we have a line item specifically for WFN Members? This should not be in the LGS budget. I suspect this is an error.
<i>J. Bellingham</i>	We used to offer grants for Members with bare lands. I believe it is a mistake as well.
<i>J. Bauer</i>	In the segment details. Of that \$100,000 budgeted money. A large portion of this \$100,000 sits in the utilities segment. We will look into this and report back
<b>ACTION</b>	J. Bauer to follow up on the "grants for Members" line item of the budget (Expenses) and report back to the Advisory Council.
<i>J. Bauer</i>	Continued review of the provisional budget presentation with the Advisory Council.



	Key Changes – Expenses. Salary and Benefit Increases. Property Tax Summary.
<i>J. Bauer</i>	In response to a question from S. Gilroy, in the First Nations Tax Commission, the percentage increase has to be between 1 and 10%. This provides us with flexibility in terms of the increases to property taxpayers. The 12 to 15-million-dollar range is optimal for the contingency fund.
<i>L. Teichgraber</i>	My opinion is that I like the flexibility and that we are using the contingency fund to stabilize the tax increases.
<i>R. Ould</i>	If we aren't contributing the contingency fund, then we won't need to pull from it to balance our tax rate increases correct?
<i>E. Jack</i>	The contingency fund is not only for balancing the tax increases. The contingency fund is for other unexpected issues within our community.
<i>J. Bauer</i>	There are restrictions on what the contingency fund can be used for.
<i>L. Teichgraber</i>	Is it in the law that we can use the contingency fund for the budget?
<i>J. Bauer</i>	Yes. We can draw out eligible items.
<i>J. Bauer</i>	Continued review of the provisional budget presentation with the Advisory Council.  Provisional Property Tax Summary, Year Over Year. Westbank First Nation – Local Government Services Budget P2
<i>S. Gilroy</i>	On the legislative piece, why such a jump?
<i>J. Bauer</i>	The general Legal Services was transferred out of the Council Secretariat department which is the driver for the large increase.
<i>J. Bellingham</i>	Legal Services takes care of the Advisory Council election which is part of the Advisory Council line item in the budget.
<i>J. Bauer</i>	Continued review of the provisional budget presentation with the Advisory Council.  WFN Provisional Budget 2023-2024 / Provisional Property Tax Transfer by Department.
<i>T. Turcan</i>	How are the percentages determined for the property tax contribution per department? Overall are the property taxpayers paying a larger portion? I understand the resident numbers and required services are increasing.
<i>J. Bauer</i>	Rationalizing the numbers is important and we receive lots of different funding and how we allocate those funds across WFN is something we are looking at moving forward.
<i>J. Bauer</i>	Continued review of the provisional budget presentation with the Advisory Council.  Capital Budget – LGS Next Steps
<i>R. Ould</i>	Who do we need to have in this meeting regarding the capital projects?
<i>J. Bellingham</i>	J. Mocilac and G. Dimmick are the ones who would speak to this. One of them will be at the Thursday meeting and will speak about the current capital projects.
<i>L. Teichgraber</i>	It is good to see more revenue being raised than the expenses.
<i>J. Bauer</i>	The interest income is a big part of this.
<b>MOTION</b>	<b>MOVED BY S. Gilroy</b>



	<p><b>Seconded by R. Ould</b>  <b>THAT</b> the Advisory Council recommends the proposed 2023-24 property tax budget be approved by the Chief and Council, conditional on their approval of the proposed 23-TX-01 Taxation, and 23-TX- 02 Assessment bylaws.  <b>CARRIED</b></p>
	<p><b><u>WESTBANK EXPENDITURE BYLAW 23-TX-03</u></b>  <b>(WFN Staff Report prepared by E. Jack is attached to these minutes as EXHIBIT “C.”)</b></p>
<i>E. Jack</i>	Reviewed WFN Staff Report with the Advisory Council.
<i>T. Turcan</i>	Us taking the 5% from contingency is inconsistent with what we should do without approving/recommending the other bylaws.
<i>E. Jack</i>	This is why there is a 30-day representation. It allows everyone time to review everything. There is no change in jurisdiction.
<b>MOTION</b>	<p><b>MOVED BY R. Ould</b>  <b>Seconded by T. Turcan</b>  <b>THAT</b> the Advisory Council reviews and recommends that WFN Council gives a third and final reading to Westbank Expenditure Bylaw 23-TX-03 subject to review of 23-TX-01 and 23-TX-02.  <b>CARRIED</b></p>
	<p><b><u>WESTBANK RATES BYLAW 23-TX-04</u></b>  <b>(WFN Staff Report prepared by E. Jack is attached to these minutes as EXHIBIT “D.”)</b></p>
<i>E. Jack</i>	Reviewed WFN Staff Report with the Advisory Council.
<i>T. Turcan</i>	The tax rate is 3.2%, is the \$500 minimum the same as before?
<i>E. Jack</i>	Yes, it has been the same since day one.
<i>T. Turcan</i>	Should we revisit and revise this in the future? It doesn't seem fair to pay the same fee year after year.
<b>MOTION</b>	<p><b>MOVED BY R. Ould</b>  <b>Seconded by S. Gilroy</b>  <b>THAT</b> the Advisory Council reviews and recommends that WFN Council gives third and final reading to Westbank Rates Bylaw 23-TX-04 subject to review of 23-TX-01 and 23-TX-02.  <b>CARRIED</b></p>
<b>ACTION</b>	J. Bauer to share the redlined versions of 23-TX-01 and 23-TX-02 with the Advisory Council.
<b>ACTION</b>	Set a special Advisory Council meeting to review the redlined versions of 23-TX-01 and 23-TX-02.
	<b><u>Agenda Discussion</u></b>
Roundtable	The Advisory Council and WFN staff discussed the creation of the agenda.
	<b><u>Next Meeting</u></b>
	The next meeting will take place on March 16, 2023.
<b>ADJOURNMENT MOTION</b>	<p><b>MOVED BY T. Turcan</b>  <b>SECONDED BY R. Ould</b>  <b>THAT</b> the Advisory Council meeting be adjourned.  <b>CARRIED</b>          The meeting adjourned at 3:34 p.m.</p>



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**stqaʔtxʷn`iwt sqilxʷ (Westbank First Nation)** The people (sqilxʷ) living where wind blows (niw̓t) and forms swamps or puddles alongside a large lake (stqáʔtkʷt). Being a windy area, the winds would wash along the shore creating puddles which would either seep into the land, creating wet, marshy areas or wash back into the lake. This area has been identified as the portion of syilx territory from Hardy Falls to around the Gellatly/Green Bay area but in reality, it includes a few other areas, including xʷaʔ mnik, the area closer to IR#10 and many other areas that have specific place names.